

**BEFORE THE IDAHO STATE LICENSING BOARD OF PROFESSIONAL
COUNSELORS AND MARRIAGE & FAMILY THERAPISTS**

In the Matter of the License of:)	
)	Case No. COU-2010-22
LISBETH A. GIGLIO,)	
License No. LMFT-3014,)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW
Respondent.)	AND FINAL ORDER
)	

Having reviewed the documents and correspondence contained in the administrative file in this matter, the Idaho State Licensing Board of Professional Counselors and Marriage & Family Therapists (the “Board”) hereby enters the following Findings of Fact, Conclusions of Law, and Final Order:

FINDINGS OF FACT

1. Respondent Lisbeth A. Giglio (“Respondent”) is a duly licensed marriage and family therapist in the State of Idaho holding License No. LMFT-3014. Respondent’s license expired on September 8, 2009, and Respondent’s license was canceled as of September 9, 2009. Respondent has not renewed her license; however, pursuant to Idaho Code § 67-2614, Respondent retains the right to renew her license for up to five (5) years after cancellation by paying the required fees.

2. Between January 2008 and February 2010, the Board received complaints from three individuals alleging, among other things, that Respondent was biased while providing counseling which caused unnecessary estrangement within the families and maintained inappropriate dual relationships.

3. During the course of the investigation, on or about March 15, 2010, Respondent voluntarily surrendered her license. In voluntarily surrendering her license, Respondent did not admit that these allegations are true, although she acknowledged her “failure to comply with Idaho Law, title 54, chapter 34, Idaho Code and the rules promulgated by the” Board. She also consented to the Board imposing discipline against

her, including an order revoking or suspending her license and requiring her to pay a civil fine as well as the Board's fees and costs to investigate and prosecute this matter. A true and correct copy of the voluntary surrender form signed by Respondent is attached hereto as Exhibit A and incorporated herein by this reference.

4. Respondent knowingly and freely waived her right to a hearing, and waived all rights granted to Respondent pursuant to the Administrative Procedures Act, chapter 52, title 67, Idaho Code.

CONCLUSIONS OF LAW

1. As a licensed marriage and family therapist in the State of Idaho, Respondent is subject to the jurisdiction of the Board and to the provisions of title 54, chapter 34, Idaho Code, and the rules and regulations promulgated by the Board thereunder.

2. The allegations, if proven, would constitute grounds upon which the Board may discipline Respondent for having violated the Counselors and Therapists Practice Act and Rules, including Idaho Code § 54-3407(5), Board Rule 350, and American Association for Marriage and Family Therapy Code of Ethics (2001) 1.1, 1.3 and 7.4.

3. Pursuant to Idaho Code §§ 54-3407 and 67-2609(6) and (7), and board Rule 500.02 and .03, such discipline may include revocation or suspension of Respondent's license, and the imposition of a civil fine and the costs and fees incurred by the Board in the investigation and prosecution of this matter.

4. Respondent's voluntary surrender of licensure authorizes the Board to enter an order disciplining Respondent without further process.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, based upon the foregoing Findings of Fact and Conclusions of Law, and good cause being shown:

1. License No. LMFT-3014 issued to Respondent Lisbeth A. Giglio, including any renewal rights, is hereby REVOKED. Respondent may not apply to the Board for

licensure during the five (5) year period following the date of this Order (the "revocation period"). Additionally, before applying for licensure, Respondent must reimburse the Board for its investigative costs and attorney's fees incurred in this matter in the total amount of \$1,319.40. The board will not consider any application from Respondent submitted until the revocation period has ended and Respondent has reimbursed the board for these costs and fees.

2. If Respondent thereafter applies for licensure, Respondent must use the same application forms and provide the same information and items as would be required of a first-time applicant. Additionally, Respondent must present to the Board with her application a full written disclosure of the details surrounding the factual events addressed above in this Order.

3. Pursuant to Idaho Code § 54-3407, if the Board ultimately decides to reinstate Respondent's revoked license, it may do so upon such terms as the Board, in its discretion, may impose.

4. Respondent is solely responsible for any and all costs that may arise from Respondent having to comply with the terms of this Order.

This order is effective immediately.

DATED this 22nd day of July, 2010.

IDAHO STATE LICENSING BOARD OF
PROFESSIONAL COUNSELORS AND
MARRIAGE & FAMILY THERAPISTS

By Roberta Crockett
Nina J. Woods, Chair
Roberta Crockett

NOTICE OF DUE PROCESS RIGHTS

NOTE: THIS NOTICE IS PROVIDED SOLEY FOR COMPLIANCE WITH IDAHO CODE § 67-5248, AND IS NOT INTENDED TO REINSTATE ANY RIGHTS PREVIOUSLY WAIVED BY RESPONDENT.

This is a final order of the Board. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the service date of this order. The Board will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Idaho Code § 67-5246(4).

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order or orders previously issued in this case may appeal this final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- a. A hearing was held,
- b. The final Board action was taken,
- c. The party seeking review of the order, resides, or
- d. The real property or personal property that was the subject of the Board action is located.

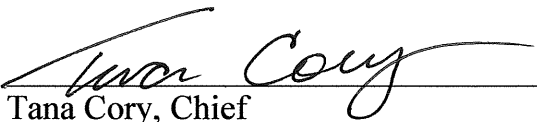
An appeal must be filed within twenty-eight (28) days (a) of the service date of this final order, (b) of an order denying petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See Idaho Code § 67-5273. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of July, 2010, I caused to be served a true and correct copy of the foregoing by the following method to:

Lisbeth A. Giglio
31502 Shewsberry Drive
Laguna Beach, CA 92651

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☒ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile: _____
- ☐ Statehouse Mail


Tana Cory, Chief
Bureau of Occupational Licenses

IDAHO BUREAU OF OCCUPATIONAL LICENSES

VOLUNTARY SURRENDER OF LICENSE

I, LISBETH A. GIGLIO, hereby voluntarily surrender my license to practice as a professional counselor in the State of Idaho. I agree and consent that the surrender of my license to practice is done without an order, order to show cause, hearing, or any other proceeding compelling its surrender. In view of my failure to comply with Idaho Law, title 54, chapter 34, Idaho Code, and the rules promulgated by the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists ("Board"), and as an indication of my good faith in desiring to remedy any incorrect or unlawful practices on my part, I voluntarily surrender my license to practice in the State of Idaho and agree to immediately discontinue the practice of professional counseling in this state.

I understand that I have the right to a hearing, the right to confront and cross-examine witnesses, the right to present evidence and testimony on my behalf, the right to appeal and all other rights accorded to me by the Idaho Administrative Procedures Act, title 67, chapter 52, Idaho Code, and the laws and rules governing the practice of professional counseling title 54, chapter 34, Idaho Code. I hereby freely and knowingly waive these rights without further process as a resolution of any claims or allegations which might otherwise be brought against me by the Board. I further waive any license renewal rights provided by Idaho Code § 67-2614.

I acknowledge that in surrendering my license to practice, I specifically waive the right to contest this relinquishment in any subsequent proceeding. I acknowledge that the Board has jurisdiction to proceed against my license pursuant to Idaho Code § 54-3404. I understand that the Board may enter an order either revoking or suspending my license to practice based upon my voluntary surrender of my license, which order may include, but is not limited to, a civil penalty and/or the imposition of costs and fees incurred by the Board in its investigation and prosecution of any claims or allegations against me, and I hereby consent to the imposition of such discipline without further notice or process.

I understand and acknowledge that by surrendering my license to practice, all of the privileges associated with said license are hereby surrendered until such time as I am again properly licensed. I understand that to regain a license to practice in the State of Idaho, I must re-apply to the Board pursuant to the provisions of title 54, chapter 45, Idaho Code, and all applicable rules and orders entered by the Board. I understand and agree that any decision regarding reinstatement of my license is a discretionary decision for the Board. I understand and agree that the Board may rely on factors set forth in this document or other than those set forth in this document as grounds for denial of a petition for reinstatement of my license or any license application that I may submit.

I waive refund of any payments made by me in connection with my license under the Counselors and Therapists Act and any rules promulgated thereunder.

Name of Licensee: Lisbeth A. Giglio License No.: LMFT-3014

Address: 31502 Shrewsbury Drive Sagebrush Blaine CA

street

city

zip

Signature of Licensee or Authorized Individual: [Signature]

Date: 3/15/10

Signature of Witness: [Signature]

Date: 3/15/10

[Rev. 10-09]

Exhibit A

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